



Attorney Docket no: SEL 308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Yamazaki et al.)
)
Serial No.: 10/098,688)
)
Filed: March 15, 2002)
)
For: Heat Treatment Apparatus And)
Heat Treatment Method)
)
Examiner: B. Chen)
)
Art Unit: 1762)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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P.O. Box 1450, Alexandria, VA 22313-1450 on

June 8, 2004
(Date of Deposit)

Shannon Wallace

Name of applicant, assignee, or Registered Rep.

Shannon Wallace June 8, 2004
Signature Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE B (AFTER FINAL)

Sir:

Applicants have the following response to the Final Rejection of January 8, 2004,
a two month extension of time being submitted herewith

Applicants appreciate the Examiner's allowance of Claims 58-73, 77-80, 84-87
and 91-94. Applicants will now address each of the Examiner's remaining rejections in
the order in which they appear in the Final Rejection.

Claim Rejections - 35 USC §112

In the Final Rejection, the Examiner rejects Claims 50-57 under 35 USC §112,
first paragraph, as failing to comply with the written description requirement. This
rejection is respectfully traversed.

More specifically, the Examiner states that independent Claims 50 and 54 require a heat treatment means formed in combination with a heat generation means. The Examiner then contends that this is new matter as there appears to be no support in the specification as originally filed for this feature.

Applicants respectfully disagree. For example, page 5, Ins. 2-3 of the specification as originally filed states that "The heat treatment means is preferably formed in combination of a heat generating means and a heat absorber." This clearly supports the language of the rejected claims.

Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

The Examiner also rejects Claims 46-57, 74-76, 81-83 and 88-90 under 35 USC §103(a) as being unpatentable over Hemsath et al. This rejection is also respectfully traversed.

In particular, Claims 46-57, 74-76, 81-83 and 88-90 are directed to a heat treatment method. The Final Rejection fails to address where the features of the claimed method are shown in the cited reference. Hence, it is respectfully submitted that this rejection is improper.

Further, with regard to independent Claim 46, Hemsath discloses that blower 33 is near a recirculation plenum 30 and downstream end portion 32 in Fig. 1. Previously, the Examiner also alleged that it would have been obvious to one skilled in the art to place the heating means in the upstream side of the chamber.

However, it is respectfully submitted that Claim 46 is fully distinguishable from Hemsath inasmuch as Hemsath does not teach or suggest the claimed features of “supplying a gas from an upstream side of a reaction chamber” and “heating the gas by using heat treatment means located on the upstream of the reaction chamber, and making the gas flow downstream.”

Claims 47-57, 74-76, 81-83 and 88-90 are also distinguishable over the cited reference for similar reasons.

Claims 50-57 are also distinguishable over Hemsath inasmuch as Hemsath does not teach or suggest the claimed feature of “using a heat treatment means formed in combination with heat generating means and a heat absorber for absorbing thermal radiation from the heat generating means.”

Claims 81-83 are further distinguishable as Hemsath fails to teach the claimed feature of “the gas flows in from a direction perpendicular to the substrate to be processed.”

Therefore, for at least the above-stated reasons, the rejected claims are clearly distinguishable over Hemsath. Hence, it is requested that this rejection be withdrawn.

Conclusion

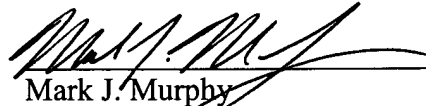
Therefore, it is respectfully submitted that the present application is in a condition for allowance, and it is requested that it now be allowed.

Please charge our Deposit Account No. 50-1039 for any fee due for this response.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Date: June 8, 2004


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